



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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MEMORANDUM

TO: The Commission

FROM: Daniel A. Petalas
Associate General Counsel for Enforcement

BY: Mark Allen
Acting Assistant General Counsel *MA*

Tracey L. Ligon *TL*
Attorney

SUBJECT: MUR 6440 (Frank Guinta, *et. al*) — Pre-Probable Cause Conciliation Agreement

I. CONCILIATION

Attached is a conciliation agreement signed by counsel on behalf of Frank Guinta and Friends of Frank Guinta ("Committee") and Paul Kilgore in his official capacity as treasurer (collectively "Respondents"). See Attachment 1 (Signed Conciliation Agreement). If accepted by the Commission, the agreement would settle violations of 2 U.S.C. §§ 434(b) and 441a(f) (now 52 U.S.C. §§ 30104(b) and 30116(f)) stemming from the acceptance of \$355,000 in excessive contributions and inaccurate disclosure of the contributions as the personal funds of Frank Guinta.¹

¹ On September 1, 2014, the Federal Election Campaign Act of 1971, as amended, was transferred from Title 2 to new Title 52 of the United States Code.

Memo to the Commission
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11 , recommend that the Commission accept the attached signed conciliation agreement
12 with Frank Guinta and Friends of Frank Guinta and Paul Kilgore in his official capacity as
13 treasurer, and close the file.²
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15 **II. RECOMMENDATIONS**
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- 17 1. Accept the attached signed conciliation agreement with Frank Guinta and
18 Friends of Frank Guinta and Paul Kilgore in his official capacity as treasurer.
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20 2. Approve the appropriate letters.
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22 3. Close the file.
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² Frank Guinta, and Friends of Frank Guinta and Paul Kilgore in his official capacity as treasurer, are the only remaining respondents in this matter. The Commission previously decided to take no action as to Richard Guinta and Magdalene Virginia Guinta other than send a caution letter with respect to violations of 52 U.S.C. §§ 30116 and 30122 (formerly 2 U.S.C. §§ 441a and 441f), and close the file as to them. *See Certification* (Dec. 11, 2014).